



## Legislation Details (With Board Report)

**File #:** 22-738 **Name:** JOC Report FY 2022 Quarter 4  
**Type:** General Agenda Item **Status:** Agenda Ready  
**File created:** 7/29/2022 **In control:** Capital Improvement Committee  
**On agenda:** 9/12/2022 **Final action:**  
**Title:** Receive a status report on the Job Order Contract Program from the Public Works, Facilities and Parks Department supporting Public Works and Facilities projects for the period of April through June 2022 to capture FY22 Quarter Four.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. CIC Report, 2. Attachment A – Projects Issued Notice to Proceed (NTP) & Supplemental Job Orders – FY 202122 Quarter Four (April 1, 2022 – June 30, 2022)

Date	Ver.	Action By	Action	Result
9/12/2022	2	Capital Improvement Committee		

Receive a status report on the Job Order Contract Program from the Public Works, Facilities and Parks Department supporting Public Works and Facilities projects for the period of April through June 2022 to capture FY22 Quarter Four.

**RECOMMENDATION:**

It is recommended that the Capital Improvement Committee receive a status report on the Job Order Contract Program from the Public Works, Facilities and Parks Department supporting Public Works and Facilities projects for the period of April through June 2022 to capture FY22 Quarter Four.

**SUMMARY/DISCUSSION:**

The Capital Improvement Committee (CIC) requested to receive quarterly reports on the Job Order Contracting (JOC) program managed by Public Works, Facilities and Parks (PWFP) supporting PWFP projects. The projects within this report include projects from the 2019, 2020, and 2021 JOC program year.

**April - June 2022 (Quarter Four) Projects Summary:**

**Facilities**

- New Projects: 17
- New Project Supplemental Job Orders: 4
- Existing Project Supplemental Job Orders: 12
- Construction Contract Value: \$1,722,726
- Gordian License Fees (JOC Fees): \$93,488
- Gordian Project Management (JOC Plus Fees): \$33,231
- Use of Local Contractor/Employer in Contracts: 100%

**Public Works**

- New Projects: 19
- New Project Supplemental Job Orders: 2

- Existing Project Supplemental Job Orders: 3
- Construction Contract Value: \$8,521,189
- Gordian License Fees (JOC Fees): \$426,059
- Gordian Project Management (JOC Plus Fees): \$0
- Use of Local Contractor/Employer in Contracts: 100%

#### Total

- New Projects: 36
- New Project Supplemental Job Orders: 6
- Existing Project Supplemental Job Orders: 15
- Construction Contract Value: \$10,243,915
- Gordian License Fees (JOC Fees): \$519,548
- Gordian Project Management (JOC Plus Fees): \$33,231
- Use of Local Contractor/Employer in Contracts: 100%

#### Combined Local Work Force Percentage

- 100% of all projects had a minimum of 50% local work force

Attachment A reports the number of Facilities and Public Works projects and supplemental Job Orders issued Notice to Proceed (NTP) in FY22 Quarter Four.

JOC provides an alternative procurement method for completing public works projects which improves economy and efficiency in completing many public works projects, including urgent and time sensitive projects. The price of an individual project will be determined by multiplying the preset unit prices and the appropriate quantities by the appropriate adjustment factor. The adjustment factor will vary depending upon the location of the work and the time at which the work will be performed (normal working hours versus other than normal working hours). Representatives from County Counsel and Contracts Purchasing are present, review bid packages submitted to verify completeness and announce the award criteria for each bid. The award of all 2019, 2020 and 2021 JOC Facilities and Roads were awarded to the lowest responsible and responsive bidder in accordance with Public Contract Section 20128.5 as outlined in the JOC Project Specifications. The current JOC Policy does not provide for selection based on Local Preference. However, as part of the Bid package all prospective bidders are required to submit a Certification of Good Faith Effort to Employ Monterey Bay Area Residents including Monterey County, Santa Cruz County and San Benito County in compliance with Section 5.08.120 of the Monterey County Code.

Projects implemented through the JOC Program include projects listed in the adopted Five-Year Capital Improvement Plan (CIP); smaller maintenance and repair projects that are not specifically listed in the CIP but funded through an established Unscheduled Maintenance Project budget or funded with outside department funding; emergency projects that have secured funding; and new projects with secured funding for which departments have sought Board approval to implement.

#### Local Preference

The County Board of Supervisors has expressed its support for hiring local contractors on County construction projects to keep County dollars local and encourage a high standard of workmanship. Staff researched a Best Value Construction Contracting for Counties Pilot Program (Program) available to Monterey County as a potential alternative to the otherwise State-mandated lowest bid process as a way to encourage use of local contractors - this was created by the State Legislature known as SB 128. After review, staff determined the

Program does not allow local-vendor preference to be used as a determining factor for award. The Program requires the following criteria be used if selecting a contractor based on best value (CA Code 20155.1.h):

- Financial Condition
- Relevant Experience
- Demonstrated Management Competency
- Labor Compliance
- Safety Record

In addition, the Program specifically states in Section 20155.4 "...best value contractor shall not be prequalified or shortlisted unless the contractor provides an enforceable commitment to the county that the contractor and its subcontractors at every tier will use a skilled and trained workforce to perform all work on the project...". Using the Program Best Value requires the County to participate in, or require contractors to enter into, Project Labor Agreements, which the County has not participated in, to date. The impact to the County's ability to utilize local vendors should the Program be implemented is unknown at this time. Under the current low-bid process, the PWFP JOC program maintained a local vendor subcontractor rate of at least 50% across all JOC projects in FY 2020/21.

**OTHER AGENCY INVOLVEMENT:**

Public Works and Facilities staff coordinates the preparation of Job Orders with PWFP Finance and the Auditor-Controller's Office.

**FINANCING:**

Funding for JOC projects is contained either within the approved budget allocations of: Fund 402 - Capital Projects; Fund 404 - Facilities Master Plan Projects; Fund 002 - Road Fund; and the respective funds established for individual County Service Areas or County Sanitation Districts, or the individual department authorizing the project. Funding Sources for each JOC project are listed in Attachments A.

The Gordian Group (TGG) fee is a five percent (5%) License Fee for utilization of the JOC program. This fee is based on each JOC project total value and is payable by the County upon issuance of a Job Order to the JOC Contractor. TGG also offers project management services for job orders as requested by the County for a set fee of 5.95% of the job order total value.

Prepared by: Lindsay Lerable, Chief of Facilities, (831) 755-5061  
Reviewed by: Tom Bonigut, Assistant Director of Public Works, Facilities & Parks  
Approved by: Randell Ishii, MS, PE, TE, PTOE  
Director of Public Works, Facilities & Parks

**Attachments:**

Attachment A - Projects Issued Notice to Proceed (NTP) & Supplemental Job Orders - FY 2021/22 Quarter Four (April 1, 2022 - June 30, 2022)